

PTO/SB/31 (08-09)

Approved for use through 07/31/2006. OMB 0561-0021
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) AT 2038.00	
I hereby certify that this correspondence is being sent via facsimile to Attn Mail Stop AF, fax no. 571-273-4762 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 4, 2005.		In re Application of Thomas A. Silvestrini	
Signature <u>Peggy Nichols</u> Typed or printed name <u>Peggy Nichols</u>		Application Number 02/993,946	Filed 02/18/97
For CORNEAL IMPLANT METHOD AND PLIABLE IMPLANT THEREFOR			
Art Unit 3738		Examiner D. Wilse	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) **\$ 500.**

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced
 by half, and the resulting fee is: **\$ 250.**

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy
 of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.
50-2518.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

04/18/2005 5:11 PM FAX 6508494800
01 FC:2401

WARNING: Information on this form may become public. Credit card information should not be included on this
 form. Provide credit card information and authorization on PTO-2038.

250.00 DA
 I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/56)

☒ attorney or agent of record.
 Registration number 94,202

☐ attorney or agent acting under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a) _____

Signature Antoinette F. Konski
 Antoinette F. Konski
 Typed or printed name
 (650) 848-4950
 Telephone number

Date April 4, 2005
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple
 forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO
 to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including
 gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the
 amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and
 Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
 ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.